

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

K.S.,

Plaintiff,

vs.

Case No. 14-cv-12214

CHARLES PUGH,

Hon. David M. Lawson

Defendant.

\_\_\_\_\_/

WILLIAM R. SEIKALY (P33165)  
Seikaly & Zeman, P.C.  
38500 Woodward Avenue, Suite 350  
Bloomfield Hills, MI 48304  
(248) 785-0102

\_\_\_\_\_/

**EX-PARTE MOTION FOR RENEWAL OF CIVIL JUDGMENT**

Plaintiff, by his counsel, Seikaly & Zeman, P.C., pursuant to Fed. R. Civ. P 69(a) and MCL 600.5809, requests a renewal of the civil judgment as to Defendant, Charles Pugh as follows:

1. On December 21, 2015, this Court entered a Judgment in favor of Plaintiff against Defendant in the amount of \$250,000.
2. On February 4, 2016, this Court entered a Stipulated Order Allowing Registration of Judgment, allowing the Plaintiff to register the Judgment against the Defendant in any other judicial district.
3. The Judgment remains unpaid.
4. Defendant is not in the military service.
5. This request to renew the civil Judgment is made prior to the expiration of the limitation period.

6. Plaintiff's brief in support of this motion is incorporated herein.

WHEREFORE, Plaintiff requests that the Judgment entered on December 21, 2015 be renewed in the form attached as Ex. 1.

SEIKALY & ZEMAN, P.C.  
Attorneys for Plaintiff

By: /s/ William R. Seikaly  
WILLIAM R. SEIKALY (P33165)  
38500 Woodward Avenue, Suite 350  
Bloomfield Hills, MI 48304  
(248) 785-0102

Dated: March 11, 2025

#### **BRIEF IN SUPPORT OF EX-PARTE MOTION TO RENEW CIVIL JUDGMENT**

On December 21, 2015, this Court entered a Judgment in favor of Plaintiff against Defendant in the amount of \$250,000. [Dkt. 175]. On February 4, 2016, this Court entered a Stipulated Order Allowing Registration of Judgment allowing the Plaintiff to register the Judgment against Defendant in any other judicial district. [Dkt. 188]. This Judgment remains unpaid.

Fed. R. Civ. P. 69(a) states in pertinent part:

The procedure on execution—and in proceedings supplementary to and in aid of judgment or execution—must accord with the procedure of the state where the court is located, but a federal statute governs to the extent that it applies.

There is no specific federal statute of limitations on how long a federal judgment is effective. *Lillie v Hunt (In re Hunt)*, 323 B.R. 665, 666-67 (Bank. W.D. Tenn. 2005). When no federal statute applies, state practices and procedures are utilized.

MCL 600.5809(3) states:

“Except as provided in subsection (4), the period of limitations is 10 years for an action found upon a judgment or decree rendered in a court of record of this state, or in a court of record of the United States or of another state of the United States, from the time of the judgment or decree.” This statute further provides “Within the applicable period of limitations prescribed by this subsection, an action may be brought upon the judgment or decree for a new judgment or decree. The new judgment or decree is subject to this subsection.”

Under Michigan law “an action” as provided in MCR 600.5809(3) clearly intended actions beyond just civil complaints. The Court determined that a plaintiff’s ex-parte motion constitutes “an action” for the purposes of 600.5809(3). *Van Reken v Darden, Neef & Heitsch*, 259 Mich App 454; 674 NW2d 731 (2003). The Judgment at issue in this motion is the Judgment dated December 21, 2015.

There being no federal statute on how long a federal judgment is effective, Michigan state law controls. Under Michigan law an action can be brought with the applicable period of limitations for a new judgment. The judgment at issue was entered by this Court on December 21, 2015. Plaintiff is entitled to have this Judgment renewed for the applicable period of 10 years.

SEIKALY & ZEMAN, P.C.  
Attorneys for Plaintiff

By: /s/ William R. Seikaly  
WILLIAM R. SEIKALY (P33165)  
38500 Woodward Avenue, Suite 350  
Bloomfield Hills, MI 48304  
(248) 785-0102

Dated: March 11, 2025

CERTIFICATE OF SERVICE

The undersigned certifies that on March 11, 2025, I served a copy of the foregoing document upon all parties and/or attorneys of record via the Court's ECF System.

/s/ Diane Vos  
Diane Vos

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

K.S.,

Plaintiff,

vs.

Case No. 14-cv-12214

CHARLES PUGH,

Hon. David M. Lawson

Defendant.

\_\_\_\_\_/

**ORDER FOR RENEWAL OF CIVIL JUDGMENT**

Upon an Ex Parte Motion for Renewal of Civil Judgment having been filed by Plaintiff and the Court having granted same;

IT IS HEREBY ORDERED that the Judgment entered on December 21, 2015, a copy of which is attached hereto, may be renewed for a period of ten (10) years from the date of entry of this order.

\_\_\_\_\_  
DAVID M. LAWSON  
United States District Court Judge

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

K.S.,

Plaintiff,

v.

Case Number 14-cv-12214

Honorable David M. Lawson

CHARLES PUGH,

Defendant.

\_\_\_\_\_ /

**JUDGMENT**

This matter came on for trial before a jury on the plaintiff's claims against defendant Charles Pugh. On November 9, 2015, the jury returned a verdict in favor of defendant Charles Pugh on Count XI of the amended complaint, alleging a violation of the Michigan Elliott-Larsen Civil Rights Act, and in favor of plaintiff Khody Sanford on Counts XIII and XIV of the amended complaint alleging battery and intentional infliction of emotional distress.

Accordingly, it is **ORDERED AND ADJUDGED** that the plaintiff shall recover of defendant Charles Pugh the sum of \$250,000.

It is further **ORDERED AND ADJUDGED** that the plaintiff takes nothing on his claim against defendant Charles Pugh for violation of the Michigan Elliott-Larsen Civil Rights Act, and that claim is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson \_\_\_\_\_

DAVID M. LAWSON

United States District Judge

Dated: December 21, 2015

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 21, 2015.

s/Susan Pinkowski  
SUSAN PINKOWSKI